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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,415	07/13/2001	Travis W. Loyd	10010635-1	4730

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EXAMINER

HOFFMAN, BRANDON S

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/905,415	LOYD, TRAVIS W.
	Examiner	Art Unit
	Brandon Hoffman	2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 February 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-29 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. _____.
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)
 Paper No(s)/Mail Date _____. 6) Other: _____.

DETAILED ACTION

1. Claims 1-29 are pending in this office action.
2. Applicant's arguments, filed February 1, 2005, have been fully considered but they are not persuasive.

Rejections

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linsker et al. (USPN 5,680,455) in view of Davis et al. (U.S. Patent No. 5,633,932).

Regarding claims 1, 12, and 22, Linsker et al. teaches a method/system/printer for regulating the ability of a user to print on a printer, comprising:

- A sending processor that includes a private key of a user, where the private key forms a key pair with a public key, the sending processor being adapted to encrypt an aspect of a print job using the private key and to send the print job and encrypted aspect over a network (col. 4, lines 43-58); and

- A printer in communication with the sending processor, where the printer is adapted to receive the print job and encrypted aspect from the sending processor, to verify the user by decoding the encrypted aspect using the public key, and to print a document based on the print job **only** if the user is a verified user **and has permission to print** (col. 4, line 66 through col. 5, line 50).

Linsker et al. does not teach **determining if the user with the private key has permission to print.**

Davis et al. teaches **determining if the user with the private key has permission to print** (col. 5, line 34 through col. 6, line 8).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine **determining if the user with the private key has permission to print**, as taught by Davis et al., with the method/system/printer of Linsker et al. It would have been obvious for such modifications because authenticating the user prevents premature printing of sensitive information or wasting of company resources (see col. 2, lines 25-40 of Davis et al.).

Regarding claims 2, 3, 13, and 23, the combination of Linsker et al. in view of Davis et al. teaches where the printer is located at a printing site and the user is verified

upon a demonstration that the user possesses the private key at the printing site (see col. 5, line 34 through col. 6, line 8 of Davis et al.).

Regarding claims 4, 14, and 24, the combination of Linsker et al. in view of Davis et al. teaches where the private key is stored on a portable processor and possession is demonstrated with a locally-restricted optical signal (see col. 5, lines 52-65 of Davis et al.).

Regarding claims 5, 15, and 25, Linsker et al. teaches where the aspect relates to content of the print job (col. 4, lines y-z).

Regarding claims 6, 16, and 26, Linsker et al. teaches where the aspect, after encryption, is a digital signature (col. 4, lines 45-49).

Regarding claims 7, 17, and 27, Linsker et al. teaches where the public key is included in a digital certificate (col. 5, lines 7-19).

Regarding claims 8, 18, and 28, Linsker et al. teaches where the public key is included in the print job (col. 4, lines 55-58).

Regarding claims 9, 19, and 29, Linsker et al. teaches where the public key is obtained by the printer from a public key database (col. 5, lines 3-7).

Regarding claims 10 and 20, Linsker et al. teaches where the public key is linked to an authorization table that permits the user to print on the printer (col. 8, lines 10-12).

Regarding claims 11 and 21, the combination of Linsker et al. in view of Davis et al. teaches where the print job is at least partially encrypted by the user with a public key of the printer (see col. 4, lines 39-47 of Davis et al.).

Response to Arguments

5. Applicant amends claims 1, 12, and 22.
6. Applicant argues:
 - a. The independent claims overcome the cited prior art (Linsker et al.) because of the new amendment (page 9, last paragraph through page 11, first paragraph).
 - b. The dependent claims are allowable based on their dependency on the independent claims (page 11, second paragraph).

Regarding argument (a), examiner disagrees with applicant. Applicant amended the claims to overcome the cited prior art of record; accordingly any rejection is proper in placing the application in a final status.

Regarding argument (b), examiner disagrees with applicant. Based on the arguments set forth for argument (a), the dependent claims stand as rejected.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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